

Paul W. Shakespear (14113)
Cameron Cutler (15116)
Natalie Beal (18311)
SNELL & WILMER L.L.P.
15 West South Temple, Suite 1200
Gateway Tower West
Salt Lake City, Utah 84101
Telephone: 801.257.1900
Facsimile: 801.257.1800
Email: pshakespear@swlaw.com
ccutler@swlaw.com
nbeal@swlaw.com

Abram I. Moore (admitted *pro hac vice*)
Christian A. Zazzali (admitted *pro hac vice*)
K&L GATES LLP
70 West Madison St., Suite 3100
Chicago, IL 60602
Telephone: 312.781.6010
Facsimile: 312.827.8000
Email: abe.moore@klgates.com
christian.Zazzali@klgates.com

Attorneys for Plaintiff Eric Schiermeyer

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

ERIC SCHIERMEYER, Derivatively on
Behalf of Nominal Defendant, BLOCKCHAIN
GAME PARTNERS, INC. D/B/A GALA
GAMES,

Plaintiff,

vs.

WRIGHT THURSTON and TRUE NORTH
UNITED INVESTMENTS, LLC,

Defendants,

BLOCKCHAIN GAME PARTNERS, INC.
D/B/A GALA GAMES,

Nominal Defendant.

**RESPONSE TO MOTION TO
CONSOLIDATE**

Case No. 2:23-cv-00589-HCN-DAO

Judge Howard C. Nielson

Magistrate Judge Daphne A. Oberg

Plaintiff Eric Schiermeyer, derivatively and on behalf of Nominal Defendant Blockchain Game Partners, Inc. (“Gala Games” or the “Company”), in response to the Motion to Consolidate (“Motion”) filed by Defendants Wright W. Thurston and True North United Investments, LLC [Dkt. 50], states as follows:

1. On Wednesday, October 11, 2023, counsel for Thurston sent an email asking if Schiermeyer would stipulate to consolidating the two lawsuits filed by the parties.

Schiermeyer's counsel responded that he would convey Schiermeyer's position by that Friday (e.g. within two days). On Thursday, October 12, 2023, Thurston filed the instant motion.

3. On Friday, October 13, 2023, counsel for Schiermeyer sent a letter suggesting that, rather than consolidating these cases, Thurston should file a counterclaim in this action, amending his claims to remove certain unfounded allegations.

4. Thurston has not responded to the October 13th letter. Thus, it appears that Thurston still hopes to consolidate the actions, rather than file amended claims in this action.

5. Although Shiermeyer contends that Thurston's approach is inadvisable, he does not oppose the consolidation of the two cases.

DATED this 26th day of October, 2023.

SNELL & WILMER L.L.P.

/s/ Paul W. Shakespear

Paul W. Shakespear
Cameron Cutler
Natalie Beal

K&L GATES LLP
Abram I. Morre
Christian A. Zazzali

Attorneys for Plaintiff Eric Schiermeyer